

R21-100
**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AUTHORIZING THE TEMPORARY SUSPENSION OF
ENFORCEMENT OF CHAPTER 5-14 AND PORTIONS OF
CHAPTER 5-15 OF THE CODE OF THE BOROUGH OF
MERCHANTVILLE**

WHEREAS, the Mayor and Borough Council of the Borough of Merchantville (hereinafter, “Mayor & Council”) seek to establish a balance between the competing and conflicting public interests in promoting the reestablishment of public commerce in the Borough of Merchantville, while maintaining safe social distancing to minimize the threat and spread of the Coronavirus pandemic; and

WHEREAS, the Mayor & Council, in recognizing the need for a viable business district in the Borough, have determined that temporary outdoor restaurant seating is imperative in the promotion of this compelling public interest, provided that the implementation of same will occur on a temporary basis, and does not contravene any other public health and safety concerns as set forth in the Borough's and any other State or County regulatory requirements; and

WHEREAS, the Mayor & Council desire to implement such measure as expeditiously as possible to minimize red tape and bureaucratic delay, but subject to a lawful process that will protect the interests of the residents of Borough of Merchantville and its taxpayers; and

WHEREAS, the Mayor & Council acknowledge the existence of the Governor's Executive Orders in respect of the restricted operations of retail businesses and restaurants at this time and, thus, such time period of this relief shall be extended to November 30, 2022 or

further action of the Mayor and the Borough Council of the Borough of Merchantville, whichever shall occur sooner; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council of the Borough of Merchantville that enforcement of Chapter 5-14, Chapter 5-15(A) and Chapter 5-15(B) of the Code of the Borough of Merchantville, as it relates to “public streets, lanes or sidewalks” only, shall be temporarily suspended in the areas so designated the map attached hereto as “Exhibit A,” on September 25, 2021, between the hours of 3:00 pm and 9:00 pm; and

BE IT FURTHER RESOLVED that Chapter 5-14, Chapter 5-15(A) and Chapter 5-15(B) of the Code of the Borough of Merchantville shall be in full force and effect in all other areas of the Borough of Merchantville during the aforementioned time periods.

BE IT FURTHER RESOLVED that this Resolution ratifies the actions of the Mayor of the Borough of Merchantville in effectuating the intent of this Resolution.

THE BOROUGH OF MERCHANTVILLE

BY: _____
EDWARD F. BRENNAN, MAYOR

ATTEST:

DENISE BROUSE, BOROUGH CLERK

I, **DENISE BROUSE**, Borough Clerk for the Borough of Merchantville, do hereby certify the foregoing to be a true and correct copy of the Resolution of the Borough of Merchantville, at a meeting of said Borough of Merchantville on September 27, 2021, and that said Resolution was passed by a majority vote of the Borough Council of the Borough of Merchantville.

DENISE BROUSE, BOROUGH CLERK